IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.993 OF 2003

Mohan Somaji Jadhav ...Petitioner
vs.
State of Maharashtra & Ors. ...Respondents

Mr.Ambar Joshi for the Petitioner
Mr.D.N.Salvi for Respondent No.1

CORAM: A.S.OKA,J.
DATE : OCTOBER 5,2005

P.C.:

1. Heard Shri Joshi for the Petitioner. When Shri Joshi is confronted with a query whether a remedy was available to prefer Revision Application before the Sessions Court, he fairly stated that remedy was available. He submitted that the Petitioner desires to withdraw this Petition with liberty to file Revision Application in the Sessions Court. He, however, submitted that delay in filing the Revision Application may come in the way of the Petitioner. He pointed out that for challenging the order passed on 20th June 2003 this Writ Petition was filed immediately few days thereafter on 8th July 2003. He pointed out that on 23rd July 2003 this Court issued notice to the Respondents and the Petition remained pending for return of service report.

2. Even if there is a delay in filing the Revision Application it is for the Petitioner to take out appropriate application in that behalf. However, the factual aspect pointed out by Shri Joshi appears to be correct and it is

obvious that the concerned Sessions Court will take into consideration the aforesaid factual aspects while dealing with the prayer made by the Petitioner.

3. Hence, Petition is dismissed as withdrawn with liberty to file Revision Application for challenging the impugned order in the concerned Sessions Court.

4. Parties and the concerned Court to act upon an authenticated copy of this order.

JUDGE